

Message Text

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ACTION AF-07

INFO OCT-01 EUR-12 ISO-00 IO-10 CIAE-00 DODE-00 PM-03 H-01

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FM AMEMBASSY LUSAKA

TO SECSTATE WASHDC PRIORITY 1017

INFO AMEMBASSY DAR ES SALAAM

AMCONSUL CAPE TOWN

AMEMBASSY KINSHASA

AMEMBASSY LONDON

AMEMBASSY PRETORIA

USMISSION USUN

C O N F I D E N T I A L LUSAKA 2500

CAPE TOWN FOR EMBASSY

EO 11652: GDS

TAGS: PFOR, PGOV, PDEV, RH

SUBJECT: BYRD AMENDMENT REPEAL

REF: LONDON 15764

1. AT THE RISK OF BELABORING THE OBVIOUS, WE WISH STRONGLY TO
ENDORSE LONDON'S VIEW FAVORING PROMPT REPEAL OF THE
BYRD AMENDMENT AS A POSITIVE STEP TO CONFIRM US INTEREST
AND DESIRE TO PLAY A USEFUL AND CONSTRUCTIVE ROLE IN THE
EVOLVING SITUATION IN SOUTHERN AFRICA WHICH IS CURRENTLY
FOCUSING ON THE URGING OF A RHODESIAN SETTLEMENT.

2. LONDON BEFORE THE PORTUGUESE COUP IT WAS EVIDENT THAT
REPEAL WAS PROBABLY THE MOST MEANINGFUL DIRECT
CONTRIBUTION THE US COULD MAKE TO INFLUENCE PEACEFUL
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CHANGE IN SOUTHERN AFRICA AND RAISE THE LEVEL OF

OUR OWN CREDIBILITY. IN THE RADICALLY CHANGED POLITICAL CIRCUMSTANCES BROUGHT ABOUT INSOUTHERN AFRICA BY THE PORTUGUESE COUP AND PARTICULARLY NOW WITH THE PRESENT CRITICAL ACTIVITY ON RHODESIA, REPEAL OF THE BYRD AMENDMENT OF COURSE WOULD HAVE EVEN GREATER PSYCHOLOGICAL SIGNIFICANCE AND EFFECT. IF ADOPTION OF THE AMENDMENT IN 1971 WAS RECEIVED BY THE RHODESIANS WITH JUBILATION, ITS REPEAL WOULD NOW HAVE SUBSTANTIAL REVERSE EFFECT IN DEMONSTRATING TIDE DEFINITELY TURNING; TIME RUNNING OUT ON SMITH AND HCR SUPPORTERS OF ILLEGAL REGIME; AND MOMENT OF TRUTH AT HAND.

3. ONE MIGHT ARGUE THAT IF RHODESIA ALREADY ON WAY TO MAJORITY GOVERNMENT AND LEGITIMATIZATION, REPEAL OF AMENDMENT NO LONGER THE URGENT OR PSYCHOLOGICAL ISSUE IT HAS BEEN, AS SANCTIONS WILL BE COMING TO AN END, MAKING REPEAL AN EMPTY GESTURE. THIS ARGUMENT HAS A POINT, BUT IT OVERLOOKS THE NET GAIN TO THE US AT SMALL POLITICAL AND ECONOMIC COST FROM ACTION FOR REPEAL NOW. BESIDES, SMITH'S POSITION ON ALLOWING NEGOTIATING WITH THE NATIONALISTS IS NOT ALL THAT CLEAR AT THIS READING. HE MAY STILL BE TEMPORIZING; ALSO, PROGRESS MAY BE HAMPERED BY DIVISIONS AMONG THE ZIMBABWE LIBERATION MOVEMENTS. ACTION BY THE US AFFECTING INTERESTS IN THIS PART OF THE WORLD COULD BE ONE OF THE STRAWS TO BREAK THE CAMEL'S BACK. IRONICALLY, THE ACTION COULD BE SEEN BY SOME AS PUTTING US IN STEP WITH THE SOUTH AFRICANS WHO ARE SEEKING TO MOVE SMITH TOWARD SETTLEMENT, BUT WE DO NOT SEE THIS AS A DETERRENT TO FURTHER DELAY OR INACTION ON OUR PART.

4. FOR TACTICAL REASONS IT IS IMPORTANT TO REPEAL NOW. IF NOT ACHIEVED DURING THE 93RD CONGRESS, THEN THE ENTIRE LEGISLATIVE PROCESS WILL HAVE TO BE RESTARTED IN BOTH HOUSES OF THE 94TH CONGRESS. THERE WILL THEN BE THE ADDED COMPLICATION INTRODUCED BY THE NEW REQUIREMENT FOR AN INFLATIONARY IMPACT STATEMENT WHICH MUST ACCOMPANY LEGISLATION OF THIS KIND AND OF WHICH THE BYRD AMENDMENT SUPPORTERS -- WHATEVER THEIR STRENGTH IN THE NEW CONGRESS -- WILL SURELY TAKE FULL ADVANTAGE TO DELAY AGAIN OR IMPEDE THE

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REPEAL PROCESS.

5. IF THERE EVER WAS AN OPTIMUM MOMENT FOR THE ADMINISTRATION TO MAKE AN ALL-OUT EMERGENCY EFFORT TO WORK CLOSELY WITH CONGRESSIONAL LEADERS TO LINE UP THE NECESSARY VOTES TO REPEAL THE BYRD AMENDMENT, IT IS NOW. WE WOULD HOPE TO HEAR THAT H IS ALREADY DEEP INTO THIS ACTION AND WE WISH THEM WELL.

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